

The Corporation of the City of Kawartha Lakes

Planning Advisory Committee Report

Report Number PLAN2019-007

Date: February 6, 2019
Time: 1:00 p.m.
Place: Council Chambers
Public Meeting

Ward Community Identifier: Ward 5 – Lindsay

Title: Mixed-Use Residential and Commercial Plan of Subdivision for 809 Residential Units

Description: Applications to amend the Town of Lindsay Official Plan and Zoning By-law, together with a Draft Plan of Subdivision (16T-18501) to permit a mixed-use residential and commercial plan of subdivision consisting of 809 residential units: 413 lots for single detached dwellings; 26 blocks for 144 townhouse dwelling units; 2 blocks for future mixed-use residential and commercial developments with up to 252 residential units; 2 commercial blocks; 4 blocks for stormwater management facilities; 4 blocks for parks; 1 institutional block; and 1 utility block on the property identified as Vacant Land on Colborne Street West, Lindsay (Lindsay 2017 Developments Inc.)

Author and Title: Ian Walker, Planning Officer – Large Developments

Recommendations:

That Report PLAN2019-007, Part of Lot 22, Concession 4, Former Town of Lindsay, Lindsay 2017 Developments Inc. – Applications D01-2018-005, D06-2018-026 and D05-2018-004, be received; and

That PLAN2019-007 respecting Applications D01-2018-005, D06-2018-026 and D05-2018-004 be referred back to staff to address any issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City departments, and that any comments and concerns have been addressed.

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

The applicant has submitted applications for a draft plan of subdivision, official plan amendment and zoning by-law amendment. The proposal is to permit a mixed use residential and commercial plan of subdivision consisting of 809 residential units as follows: 413 lots for single detached dwellings; 26 blocks for 144 townhouse dwelling units; and 2 blocks for future mixed-use residential and commercial developments with up to 252 residential units. In addition, the subdivision will consist of: 2 commercial blocks; 4 blocks for stormwater management facilities; 4 blocks for parks; 1 institutional block; and 1 utility block. The lots and blocks will be serviced by full urban municipal services with access via an extension of St. Joseph Road and sixteen (16) new streets, including one new street (Street 'A') intersecting with Colborne Street West, and one new street (Street 'D') intersecting with Highway 35.

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| Owner: | Lindsay 2017 Developments Inc. c/o Teresa Salazar |
| Applicant: | D.G. Biddle & Associates Limited c/o Michael Fry |
| Legal Description: | 57R-6839 Parts 1, 2, and 6 to 20, and Part of Parts 3 to 5, Part of Lot 22, Concession 4, Geographic Township of Ops, former Town of Lindsay |
| Designation: | General Commercial, Local Commercial, Residential, Future Residential, Institutions and Community Facilities, and Parks and Open Space on Schedule 'JC2' of the Town of Lindsay Official Plan. The land contains Airport Obstacle Restrictions as shown on Schedule 'JC4'. |
| Zone: | General Commercial Special Nine – Holding One [GC-S9(H1)] Zone, Residential One (R1) Zone, and Future Community Development (FCD) Zone on Schedule 'A' of the Town of Lindsay Zoning By-law Number 2000-75 |
| Lot Area: | 57.67 hectares [143.08 acres – MPAC] |
| Site Servicing: | Full urban services: municipal water, sanitary sewer, stormwater management ponds, streetlights, sidewalks, curbs. |
| Existing Uses: | Vacant Land |
| Adjacent Uses: | North: Agricultural (Vacant Future Development Land) East: Low Density Residential and Parkland South: Colborne Street West; Municipal Parks (Wilson Fields and Optimist Park) West: Highway 35; Vacant Agricultural and Lindsay Airport |

Rationale:

The property is located at the northeast intersection of Colborne Street West and Highway 35 in the northwest quadrant of Lindsay. See Appendix A. The subject land includes proposed low and medium density residential development, mixed-use residential and commercial, institutional, commercial, and open space properties, serviced by a number of new municipal roads. See Appendix B.

The draft plan of subdivision will create the lots, blocks, and streets which form the development, and apply to the entire property. A Landuse Concept Plan has been provided showing the subdivision layout. See Appendix C.

The official plan amendment proposes to remove the Local Commercial designation, and reconfigure portions of the remaining land use designations to correspond with the proposed subdivision. Only those land use designations which are being reconfigured are the subject of the official plan amendment, see Appendix D.

The zoning by-law amendment proposes that the Residential One (R1) Zone be changed to the Residential Two (R2) Zone and Parks and Open Space (OS) Zone; the Future Community Development (FCD) Zone be changed to the appropriate residential, mixed residential-commercial, institutional, and open space zone categories; and a portion of the General Commercial Special Nine Holding [GC-S9(H)] Zone be changed to the appropriate mixed residential-commercial and open space zone categories to correspond with the proposed reconfigured land use designations and plan of subdivision. Only those land use permissions which are being reconfigured or changed are the subject of the zoning by-law amendment, see Appendix E.

The applicant has submitted the following reports and plans in support of the application, which have been circulated to the various City departments and commenting agencies for review:

1. Planning Justification Report prepared by D.G. Biddle & Associates Limited, dated June, 2018. The report discusses and assesses the proposal in context of the 2014 Provincial Policy Statement; the 2017 Growth Plan for the Greater Golden Horseshoe, the Town of Lindsay Official Plan, and the Council adopted and appealed Lindsay Secondary Plan, and the Town of Lindsay Zoning By-law 2000-75.
2. Conceptual Servicing Report prepared by D.G. Biddle & Associates Limited, dated June 28, 2018. The report discusses and assesses the proposal in context of services, including water, sanitary sewer, stormwater management and the road network, and includes a stormwater management facility drainage plan, conceptual servicing plan (C-1), conceptual sanitary and storm sewer drainage areas (SA-1 and ST-1 respectively), and conceptual erosion and sediment control plan (ES-1).

3. Comprehensive Urban Design Analysis prepared by D.G. Biddle & Associates Limited, dated September, 2018. The report discusses the context of the proposal based on site and neighbourhood, architectural design and goals, view corridors, pedestrian and cycling connectivity, etc.
4. Lindsay 2017 Developments Inc. Transportation Study Volume 1 – Report, prepared by HDR, dated July 11, 2018. The report discusses and assesses the proposal in context of any improvements required to Highway 35, existing municipal streets, entrances, and the new municipal streets proposed.
5. Geotechnical Investigation Report prepared by Candec Engineering Consultants Inc., dated September 17, 2018. The report examines the existing soil and subsurface conditions of the site.
6. Proposed Draft Plan of Subdivision (DP-1) prepared by D.G. Biddle & Associates Limited, dated June 26, 2018.
7. Proposed Land Use Concept Plan (LU-1) prepared by D.G. Biddle & Associates Limited, dated June 26, 2018.
8. Plan of Survey prepared by Elliott and Parr (Peterborough) Ltd., dated February 25, 2005.
9. Conceptual Grading Plan prepared by D.G. Biddle & Associates Limited, dated April 2018.
10. Pedestrian and Cycling Network Plan prepared by D.G. Biddle & Associates Limited, dated April 2018.

In addition to the above, two (2) noise studies are currently being completed: one noise study assessing the noise emitted by the proposed commercial development; and one noise study assessing and developing the Noise Exposure Forecasts (NEF) contours for the Kawartha Lakes Municipal Airport (the Airport). The second study must be reviewed and approved by Transport Canada (TC), the Federal agency having jurisdiction over the Airport. The purpose of the NEF contours is to determine what impact, if any, the Airport will have on the residential component of the subdivision. Noise mitigation measures may be required as a result of the final study.

All the reports have been circulated to the applicable City departments and commenting agencies for review and comment. A number of comments and/or issues have been received by staff from the various commenting agencies, and these comments have been compiled and circulated to the applicant in November of 2018, to be addressed. Since the original circulation, the applicant has submitted a conceptual landscape plan and revised Land Use Concept Plan, dated January 9, 2019. In addition, the Ministry of Transportation Ontario (MTO) noted that the Traffic Impact Study Appendices were not included with the original submission; they have now been received and circulated to MTO. The

remainder of revised drawings and reports has not yet been received by the City for recirculation to the relevant commenting agencies and City departments.

To date, the following are the main issues to be addressed through the revisions to the plans and associated studies relating to these applications:

- Traffic – confirmation of improvements required for this development, and potential timing and cost sharing of all required Highway 35 upgrades for the development of the entire Jennings Creek Community Development Plan area;
- Servicing – confirmation of all proposed residential and commercial uses/numbers, and ensuring the design can deliver adequate services. The Conceptual Servicing Report needs to ensure there will be adequate servicing for all blocks and lots for the intended uses;
- Planning – various modifications have been made to the proposal through discussions with the applicant. In addition, the Planning Justification Report has not reviewed the application in the context of Transport Canada document TP1247E – Land Use in the Vicinity of Aerodromes. As a result of these issues and changes to the proposed subdivision layout, reports and plans require updating to represent the current proposal;
- Noise – confirmation of noise levels and mitigation, if necessary will be required;
- Co-ordination of reports/plans – all plans and reports need to be coordinated to ensure they speak to each other (i.e. Planning Justification Report numbers coincide with Conceptual Servicing Report, Traffic Study, etc.).

Staff recommends that the application be referred back to staff until such time as all commenting agencies and/or City departments' comments/concerns have been addressed, and to permit further discussions with the applicant respecting conformity to applicable policies, as required.

Provincial Policies:

Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan):

These lands are identified as being within the 'Settlement Area' of Lindsay. Section 2.2.1 of the Growth Plan, 'Managing Growth' provides that growth should be directed towards settlement areas, and utilize existing or planned infrastructure. The City has expended significant cost in providing servicing to the Jennings Creek Community Development Plan area in anticipation of development of these lands, which will be cost-recovered as development proceeds in this area. The policies of the Growth Plan encourage cities and towns to develop as complete communities which feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities; provide a diverse range and mix of housing options to accommodate people at all stages of life, and integrate green infrastructure and low impact development.

The applicant has submitted the appropriate technical reports for consideration and review. Through the appropriate revisions to the technical reports and plans, conformity with the policies of the Growth Plan should be achieved.

Provincial Policy Statement, 2014 (PPS):

The Provincial Policy Statement (PPS) provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS requires planning authorities to manage and direct land use to achieve efficient and resilient development and land use patterns. Settlement areas are the focus of growth, including redevelopment which utilizes existing or planned infrastructure.

Development and site alteration shall be directed in accordance with the policies of Section 2 and 3 of the PPS. This includes natural heritage and hydrologic features (Section 2), and natural and man-made hazards (Section 3). Planning for sewage, water, and stormwater shall be in accordance with Section 1.6.6 of the PPS. This includes the efficient use and optimization of existing municipal sewage and water services in a sustainable manner, and the use of low impact development techniques for stormwater management.

The applicant has submitted the appropriate technical reports for consideration and review. Through the appropriate revisions to the technical reports and plans, consistency with the policies of the PPS should be achieved.

Official Plan Conformity:

Development of this land is subject to the policies of the Jennings Creek Community Development Plan (JCCDP) in the Town of Lindsay Official Plan (Official Plan). The lands are designated General Commercial, Local Commercial, Residential, Future Residential, Institutions and Community Facilities, and Parks and Open Space on Schedule 'JC2' of the Official Plan. The proposal would remove the Local Commercial designation from the property, and reconfigure the remaining designations to align with the design of the proposed subdivision. Currently, portions of the Residential designation and General Commercial designation are not proposed to be reconfigured, as such, they do not constitute part of the Official Plan amendment application.

The applicant has submitted the appropriate technical reports and background studies to demonstrate conformity with the Official Plan. Through the appropriate revisions to the technical reports and plans, conformity with the policies of the Official Plan should be achieved.

Zoning By-Law Compliance:

The lot is zoned General Commercial Special Nine – Holding One [GC-S9(H1)] Zone, Residential One (R1) Zone, and Future Community Development (FCD) Zone in the Town of Lindsay Zoning By-law 2000-75 (Zoning By-law). The GC-

S9(H1) zone permits all uses in the General Commercial (GC) Zone, in addition to: an animal hospital; artist's supply establishment; florist; a department store; a home improvement store; and an optical establishment. The proposal would not change the uses permitted or development standards in the GC-S9(H1) zone, but would change a portion of the zone to another use. The FCD zone would change to the appropriate residential, commercial, institutional, parks and open space, or mixed-use residential and commercial zone categories, to correspond with the proposed plan of subdivision. The existing R1 zone would change to the appropriate R2 zone for residential development and OS zone for any park or stormwater management blocks.

For clarity, the proposed changes are shown in the following table:

| Current Zone Category: | Proposed Zone Categories: |
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| Portion of GC-S9(H1) zone | Residential Multiple Two/Residential High Rise One/ Mixed Residential Commercial (RM2/RH1/MRC) Zone; Parks and Open Space (OS) Zone |
| Entire FCD zone | Residential One (R1) Zone; Residential Two (R2) Zone; Residential Three (R3) Zone; Residential Multiple Two/Mixed Residential Commercial/Community Facility (RM2/MRC/CF) Zone; Residential Multiple Two/Residential High Rise One/ Mixed Residential Commercial (RM2/RH1/MRC) Zone; Parks and Open Space (OS) Zone |
| Entire R1 zone | Residential Two (R2) Zone; Parks and Open Space (OS) Zone |

Currently, portions of the GC-S9(H1) zone are not proposed to be rezoned, as such, that portion does not constitute part of the Zoning By-law amendment application.

The applicant has submitted the appropriate technical reports and background studies to demonstrate compliance with the Zoning By-law. Through the appropriate revisions to the technical reports and plans, full compliance with the provisions of the Zoning By-law should be achieved.

Other Alternatives Considered:

No other alternatives have been considered.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision to adopt or their refusal to adopt the requested amendments is appealed to the Local Planning Appeal Tribunal. In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

Relationship of Recommendations To The 2016-2019 Strategic Plan:

The Council Adopted Strategic Plan identifies these Strategic Goals:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment

This application aligns with all three strategic goals, as it will attract new businesses; improve walkability and increase the supply of affordable housing; and can utilize Low Impact Development (LID) techniques where possible to protect and enhance water quality.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City. Accessible standards will be implemented through the appropriate Site Plan Agreements, and permits issued under the Ontario Building Code (OBC).

Servicing Comments:

The property is currently not serviced. Full urban municipal services, including water, sanitary sewer, stormwater management ponds, streetlights, sidewalks, etc. are proposed.

Consultations:

Notice of this application was circulated to persons within a 120 metre radius of the property, agencies, and City Departments which may have an interest in the application. As of January 25, 2019, we have received the following comments:

Public Comments:

To date, three (3) parties have expressed an interest in the application but haven't provided any specific issues with the proposal: two requests for circulation were received by email, and one request was received by phone.

Agency Review Comments:

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| October 15, 2018 | The Building Division has no concerns with the applications. Comments will be provided at site plan with respect to the servicing of the commercial blocks. |
| October 15, 2018 | Bell Canada advised they have no conditions and/or objections at this time, and advise the developer to contact Bell Canada during detailed design. |

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| October 19, 2018 | The Peterborough Victoria Northumberland and Clarington Catholic District School Board advised they have no conditions, but suggest requesting sidewalks in the residential area to facilitate students walking to school or to congregate at school bus pick up locations. |
| October 22, 2018 | Canada Post advised they will provide mail delivery service through centralized Community Mail Boxes (CBMs), and provided additional information for the applicant. |
| October 22, 2018 | Public Works – Fleet and Transit Services provided comments to be addressed, related to transit. |
| October 23, 2018 | Enbridge Gas advised they have no objection, and provided additional information for the applicant. |
| November 9, 2018 | Haliburton, Kawartha, Pine Ridge District Health Unit provided a number of comments to be addressed, related to active transportation (including pedestrian, cycling and trail organizations and interests). |
| November 9, 2018 | The Engineering and Corporate Assets Department provided draft comments to be addressed, related to a number of issues (including phasing, easements, and dedications to the City; the hydrogeological report; roads, pedestrian and cycling; water, sanitary and stormwater services; lot grading and drainage; and traffic). Comments were finalized and received by November 22, 2018. |
| November 19, 2018 | The Community Services Department provided a number of comments to be addressed, related to parks and trails. |
| November 21, 2018 | The Accessibility Advisory Committee provided a number of comments to be addressed, related to accessibility of both the subdivision and within the commercial blocks, in accordance with the Accessibility for Ontarians with Disabilities Act (AODA) standards. |
| November 23, 2018 | The Kawartha Region Conservation Authority (KRCA) provided preliminary comments to be addressed, related to natural hazards and stormwater management on the site. |
| November 26, 2018 | The Accessibility Advisory Committee provided additional comments to be addressed. |
| November 26, 2018 | The Economic Development Division advised efforts should be made to minimize impacts on the future use of the Lindsay Airport as an economic driver; and want to see walkability between the commercial, residential, and trail systems; and design and architectural standards which create pride of place and enhance the character of the community. |

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| December 17, 2018 | The Ministry of Transportation Ontario provided a number of technical comments to be addressed, relating to the Traffic Impact Study (TIS). |
| January 17, 2019 | The Engineering and Corporate Assets Department advised that based on additional and revised information submitted by the applicant for the public meeting notice (circulated on January 14, 2019), there are additional changes to the subdivision which may need to be addressed through the next revised formal submission. |
| January 18, 2019 | The Building Division confirmed that based on the public meeting notice, it has no concerns with the applications. |

Development Services – Planning Division Comments:

The background information which has been submitted in support of the application has been circulated to the appropriate agencies and City Departments for review and comment. At this time, there are outstanding comments to be addressed by the applicant to address agency comments. Staff recommends that the application be referred back to staff until such time as all comments and concerns have been addressed.

Conclusion:

In consideration of the comments and issues contained in this report, Staff respectfully recommend the proposed Official Plan and Zoning By-law Amendment applications along with the Draft Plan of Subdivision application be referred back to staff for further review and processing until such time as all comments and concerns have been addressed.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Ian Walker, Planning Officer – Large Developments, (705) 324-9411 extension 1368.

Appendix 'A' – Location Map



PLAN2019-007
Appendix A.pdf

Appendix 'B' – Proposed Conceptual Landscape Plan



PLAN2019-007
Appendix B.pdf

Appendix 'C' – Proposed Land Use Concept Plan, dated January 9, 2019



PLAN2019-007
Appendix C.pdf

Appendix 'D' – Existing Official Plan Schedule



PLAN2019-007
Appendix D.pdf

Appendix 'E' – Original Applicant-Proposed Draft Zoning By-law Schedule



PLAN2019-007
Appendix E.pdf

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| Department Head E-Mail: | cmarshall@kawarthalakes.ca |
| Department Head: | Chris Marshall, Director, Development Services |
| Department File: | D01-2018-005, D06-2018-026 and D05-2018-004 |